

Production Insurance Update  
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#### Local News

Like many of us in the industry I track production in Arizona. Recently the local news channels have been covering an incident that occurred on the Stephen King made-for-TV movie, "Desperation."

The accident was last Friday the 10<sup>th</sup> and was the last shot of the evening. According to a local source, a halogen light ignited Fuller's Earth that was present in the air on the set. This set off the sprinkler system in The Tucson Convention Center. A concert being held next door had to be evacuated. There were no major injuries but any accident that occurs on a set has the potential to be devastating.

Ok, we have established that an incident has taken place. So, how does production insurance factor into this? First there are the personal injuries sustained. Secondly, there is the property damage to the area in the care, custody and control of the movie company. To what extent is the film company responsible for the physical damage? How much of the building were they responsible for? There is also the damage to any equipment that might have occurred due to the sprinklers going off.

How about the concert that had to be ended early? Will the concert promoters or artist look to be indemnified for any loss of revenue? Also, was there any damage to the building that might result in loss of use and impact further revenue.

It is impossible to say what the outcome of this will be. It is possible legal proceedings will take place. Regardless, this is a perfect example of why a production should carry the correct insurance for the risk.

#### Bruce Willis Sues

Actor Bruce Willis is suing the producers and special effects foreman of the film, "Tears of the Sun." The accident, in which Willis was hit in the head by a "projectile" after the movie's special effects personnel detonated pyrotechnic devices, occurred in 2002.

The complaint doesn't seek specific monetary damages, but it noted Willis "was required to and did employ physicians and other medical personnel" and will incur future medical expenses. The Oct. 20 lawsuit claims Willis has endured "extreme mental, physical and emotional pain and suffering."

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